

SF

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1915

Michigan Laws Statutes etc.

Live stock sanitary laws.

1915



Class SF 624

Book M 55

1915

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STATE OF MICHIGAN
LIVE STOCK
SANITARY LAWS

COMPILED UNDER THE SUPERVISION OF
COLEMAN C. VAUGHAN
SECRETARY OF STATE



BY AUTHORITY

LANSING, MICHIGAN
WYNKOOP HALLENBECK CRAWFORD CO., STATE PRINTERS
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LIVE STOCK SANITARY COMMISSION.

| | |
|--------------------------------|--------------|
| H. H. HALLADAY, President..... | Clinton. |
| MARTIN STAPLETON..... | Emmett. |
| W. R. HARPER, Secretary..... | Middleville. |

STATE VETERINARIAN.

| | |
|-------------------------------------|------------------|
| GEORGE W. DUNPHY, East Lansing..... | Office, Lansing. |
|-------------------------------------|------------------|

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NOTE.—The numbers in parentheses (), are compiler's sections and are consecutive throughout the book. The section mark § refers to the section of the compiled laws of 1897.

LIVE STOCK SANITARY COMMISSION.

An Act to provide for the appointment of a state live stock sanitary commission and a state veterinarian, and to prescribe their powers and duties, and to prevent and suppress contagious and infectious diseases among the live stock of the state.

[Act 182, P. A. 1885.]

The People of the State of Michigan enact:

(1) § 5627. SECTION 1. A commission is hereby established which shall be known under the name and style of "The State Live Stock Sanitary Commission." The commission shall consist of three commissioners who are practical agriculturalists and engaged in the live stock industries of the state, who shall be appointed by the governor with the advice and consent of the senate. One shall be appointed for the term of six years, one for the term of four years, and one for the term of two years, whose term of office shall commence on the second Tuesday of July of the year in which they are appointed and shall continue until their successors are appointed and qualified; and at each succeeding biennial session of the legislature there shall be appointed in like manner one commissioner who shall hold his office six years or until his successor is appointed and qualified. The governor shall also appoint with the advice and consent of the senate, a veterinarian who shall be a graduate of a veterinary college legally qualified to confer the veterinary degree, and who shall be skilled in the diagnosis and control of infectious diseases of live stock, and who shall be recommended by the live stock sanitary commission, and shall serve for a term of six years from the second day of September of the year nineteen hundred thirteen, and until his successor is appointed and qualified. The governor shall also appoint every six years thereafter, upon the recommendation of the state live stock sanitary commission, a competent and skilled veterinarian having the qualifications above mentioned, whose term of office shall be for six years or until his successor is appointed and qualified.

Commissioners, number, qualifications.

How appointed.

Veterinarian, qualifications.

How appointed, term of office.

Am. 1913, Act 199.

(2) § 5628. SEC. 2. Said commissioners and veterinary surgeon before they enter upon the duties of their office shall each take and subscribe the constitutional oath of office and file the same with the secretary of state.

Oath of office.

Salary. (3) § 5629. SEC. 3. Each commissioner shall receive the sum of five dollars per day and necessary expenses for the time actually spent in the discharge of his duties; and the veterinary surgeon shall receive the sum of two thousand dollars per annum and necessary expenses. The said veterinarian shall be required to carry out the directions of the live stock sanitary commission, and shall devote his entire time to the duties of his office.

Am. 1909, Act 172; 1913, Act 199.

Duty of commission. (4) § 5630. SEC. 4. It shall be the duty of the commission to protect the health of the domestic animals of the state from all contagious or infectious diseases of a malignant character, and for this purpose it is hereby authorized and empowered to establish, maintain and enforce such quarantine, sanitary and other regulations as it may deem necessary. It shall be the further duty of the commission to furnish proper office facilities, at Lansing, for the state veterinarian, and a laboratory for the investigation of infectious diseases of live stock.

Am. 1913, Act 199.

The commission is the sole tribunal to determine whether the animals are diseased and to ascertain their value, and is to be governed by the value at the date of appraisal. The only appellate jurisdiction provided for by the statute is the governor, whose approval of the action of the commission is necessary.—*Shipman v. Sanitary Commission*, 115/488.

Duty of persons to report disease to health officer. (5) § 5631. SEC. 5. It shall be the duty of any person who discovers, suspects, or has reason to believe that any domestic animal belonging to him or in his charge, or that may come under his observation, belonging to other parties, is affected with any disease, whether it be a contagious or infectious disease, to immediately report such fact, belief, or suspicion to the live stock sanitary commission, or a member thereof, or to the local board of health or some member thereof.

Duty of local board of health to investigate cases reported. Commission to quarantine. (6) § 5632. SEC. 6. It is hereby made the duty of all local boards of health, to whom cases of contagious or infectious diseases are reported, to immediately investigate the same, either in person by some member or members of the board, or by the employment of a competent and skilled veterinarian; and should such investigation show a reasonable probability that a domestic animal is affected with a contagious or infectious disease of a malignant character, the local board of health shall immediately establish such temporary quarantine as may be necessary to prevent the spread of the disease, and report all action taken to the commission or to some member thereof; and the acts of local boards of health establishing temporary quarantine shall have the same force and effect as though established by the commission itself, until such time as the commission may take charge of

the case or cases, and relieve the local board of health. All expenses incurred by local boards of health in carrying out the provisions of this act shall be paid in like manner as are other expenses incurred by said boards in the discharge of other official duties. -

(7) § 5633. SEC. 7. The commission or any member thereof, to whom the existence of any infectious or contagious disease of domestic animals is reported, shall forthwith proceed to the place where such domestic animal or animals are and examine the same, and if in his or their opinion any infectious or contagious disease does exist he or they are authorized to call upon the state veterinarian or other competent and skilled veterinarians to proceed to the place where said contagious or infectious disease is said to exist and examine said animal or animals, and report his or their finding to the said commission, which then shall prescribe such rules and regulations as in its judgment the exigencies of the case may require for the effectual suppression and eradication of the disease, and for that purpose the said commission may list and describe the domestic animals affected with such disease and those which have been exposed thereto and included within the infected district or premises so defined and quarantined, with such reasonable certainty as would lead to their identification, and no domestic animal liable to become infected with the disease or capable of communicating the same shall be permitted to enter or leave the district, premises or ground so quarantined, except by the authority of the commission. The said commission shall also from time to time give and enforce such directions and prescribe such rules and regulations as to separating, mode of handling, treating, feeding and caring for such diseased and exposed animals as it shall deem necessary to prevent the two classes of animals from coming in contact with each other, and perfectly isolate them from all other domestic animals which have not been exposed thereto and which are susceptible of becoming infected with the disease, and the said commission and veterinarian are hereby authorized and empowered to enter upon any grounds or premises to carry out the provisions of this act. When in the opinion of the commission it shall be necessary to prevent the further spread of any contagious or infectious disease among the live stock of the state, to destroy animals affected with or which have been exposed to any such disease, it shall determine what animals shall be killed, and appraise the same, as herein-after provided, and cause the same to be killed and the carcasses disposed of as in its judgment will best protect the health of domestic animals of that locality. Said commission shall also have power to declare and enforce a quarantine on dogs in any district of this state in which there is an outbreak of rabies, hog cholera, hoof and mouth disease, or any

Expenses,
how paid.

Examination
of animal.

Suppression of
disease.

Quarantine.

Separation,
etc.

Isolation.

Destruction
of animals.

Dogs may be
quarantined.

When dogs
may be
killed.

Duty to
enforce
quarantine.

Immunity of
officer.

other contagious or infectious disease among live stock; and may order that all dogs in said district shall be securely chained or otherwise confined. Any dog found at large in contravention of the terms of such quarantine or order may be killed. It shall be the duty of the sheriff of each county in the district affected and of his deputies, constables and other municipal police officers to see to it that such quarantine and orders are enforced. Any officer killing a dog pursuant to the provisions of this act shall not be subject to any liability therefor.

Am. 1909, Act 172; 1915, Act 66.

To notify the
governor of
quarantine.

Governor to
issue quaran-
tine proclama-
tion.

Proviso.

Commission
to appraise
animal
ordered killed.

To issue a
certificate to
owner.

To report the
same to the
governor.

Auditor gen-
eral to draw
his warrant
for amount.

Owner to be
paid for ani-
mal killed.

(8) § 5634. SEC. 8. When the commission shall have determined the quarantine and other regulations necessary to prevent the spread among domestic animals of any malignant, contagious, or infectious disease found to exist among the live stock of the state, and given their order as hereinbefore provided, prescribing quarantine and other regulations, it shall notify the governor thereof, who shall issue his proclamation proclaiming the boundary of such quarantine and the orders, rules, and regulations prescribed by the commission, which proclamation may be published by written or printed hand bills posted within the boundaries or on the lines of the district, premises, places, or grounds quarantined: Provided, That if the commission decide that it is not necessary, by reason of the limited extent of the district in which such disease exists, that a proclamation should be issued, then none shall be issued, but such commission shall give such notice as may to it seem best to make the quarantine established by it effective.

(9) § 5635. SEC. 9. Whenever the commission shall direct the killing of any domestic animal or animals it shall be the duty of the commissioners to appraise the animal or animals condemned, and in fixing the value thereof the commissioners shall be governed by the value of said animal or animals at the date of appraisalment.

(10) § 5636. SEC. 10. Whenever any live stock shall be appraised and killed by order of the commission, it shall issue to the owner of the stock so killed a certificate showing the number and kind of animals killed, and the amount in their judgment, to which the owner is entitled, and report the same to the governor of the state, which certificate, if approved by the governor, shall be presented to the auditor general, who shall draw his warrant on the state treasurer for the amount therein stated, payable out of any money in the treasury not otherwise appropriated.

(11) § 5637. SEC. 11. When any animal or animals are killed under the provisions of this act, by order of the commission, the owner thereof shall be paid therefor the appraised value as fixed by the appraisalment hereinbefore pro-

vided for: Provided, The right of indemnity on account of animals killed by order of the commission under the provisions of this act, shall not extend to the owners of animals which have been brought into the state in a diseased condition, or from a state, country, territory, or district in which the disease with which the animal is affected, or to which it has been exposed, exists. Nor shall any animal be paid for by the state which may be brought into the state in violation of any law or quarantine regulation thereof, or the owner of which shall have violated any of the provisions of this act, or disregarded any rule, regulation, or order of the live stock sanitary commission or any member thereof. Nor shall any animal be paid for by the state which came into the possession of the claimant with the claimant's knowledge that such animal was diseased, or was suspected of being diseased, or of having been exposed to any contagious or infectious disease.

(12) § 5638. SEC. 12. Any person who shall have in his possession any domestic animal affected with any contagious or infectious disease, knowing such animal to be so affected, or, after having received notice that such animal is so affected, who shall permit such animal to run at large, or who shall keep such animal where other domestic animals not affected by or previously exposed to such disease may be exposed to its contagion or infection, or who shall sell, ship, drive, trade, or give away such diseased animal or animals which have been exposed to such contagion or infection, or who shall move or drive any domestic animal in violation of any direction, rule or regulation, or order establishing and regulating quarantine, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than ten nor more than ninety days, or both such fine and imprisonment in the discretion of the court, for each of such diseased or exposed domestic animals which he shall permit to run at large, or keep, sell, ship, drive, trade or give away in violation of the provisions of this act.

(13) § 5639. SEC. 13. Any person who shall knowingly bring into this state any domestic animal which is affected with any contagious or infectious disease, or any animal which has been exposed to any contagious or infectious disease, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not less than one hundred dollars nor more than five thousand dollars, or be imprisoned in the state prison not to exceed one year, or both such fine and imprisonment in the discretion of the court.

(14) § 5640. SEC. 14. Any person who owns or is in possession of live stock which is affected, or which is suspected or reported to be affected, with any infectious or con-

Proviso.

Disposition of domestic animal affected with contagious disease.

Penalty for bringing diseased animals into the state.

Penalty for refusing to allow the veterinarian to examine stock.

tagious disease, who shall wilfully prevent or refuse to allow the state veterinarian or commissioner or other authorized officer or officers to examine such stock, or shall hinder or obstruct the state veterinarian or other authorized officer or officers in any examination of, or in an attempt to examine such stock, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than ten nor more than ninety days or both such fine and imprisonment in the discretion of the court.

Penalty for violation of this act.

(15) § 5641. SEC. 15. Any person who shall wilfully violate, disregard or evade, or attempt to violate, disregard or evade any of the provisions of this act, or who shall wilfully violate, disregard or evade any of the rules, regulations, orders or directions of the live stock sanitary commission establishing and governing quarantine, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than ten nor more than ninety days, or both such fine and imprisonment in the discretion of the court.

Authorized to employ persons and purchase supplies, etc.

(16) § 5642. SEC. 16. The commission provided for in this act shall have power to employ at the expense of the state such persons and purchase such supplies and material as may be necessary to carry into full effect all orders by it given.

May call upon the sheriff, etc., to execute orders.

(17) § 5643. SEC. 17. The commissioners shall have power to call upon any sheriff, under-sheriff, deputy sheriff, or constable to execute their orders, and such officers shall obey the orders of said commissioners, and the officers performing such duties shall receive compensation therefor as is

Compensation.

May arrest.

prescribed by law for like services, and shall be paid therefor in like manner. And any officer may arrest and take before any justice of the peace of the county any person found violating any of the provisions of this act, and such officer shall immediately notify the prosecuting attorney of such arrest, and he shall prosecute the person so offending according to law.

Duty of prosecuting attorney.

Governor to issue proclamation prohibiting the importation of live stock, etc.

(18) § 5644. SEC. 18. Whenever the governor of the state shall have good reason to believe that any dangerous, contagious, or infectious disease has become epizootic in certain localities in other states, territories or countries, or that there are conditions which render such domestic animals from such infected districts liable to convey such disease, he shall by proclamation prohibit the importation of live stock, of the kind diseased into the state, unless accompanied by a certificate of health given by a duly authorized veterinary

surgeon; and all such animals arriving in this state shall be examined immediately by the commission or some member thereof, and if he or they deem necessary he or they shall have said animals inspected by the state veterinary surgeon, and if in his opinion there is any danger from contagion or infection, they shall be placed in close quarantine until such danger of infection or contagion is passed, when they shall be released by order of said commission or some member thereof.

To be examined and quarantined.

(19) § 5645. SEC. 19. For the purposes of this act each member of the live stock sanitary commission is hereby authorized and empowered to administer oaths and affirmations.

May administer oaths, etc.

(20) § 5646. SEC. 20. This commission is hereby authorized and required to co-operate with any board or commission acting under any present or future act of congress for the suppression and prevention of contagious or infectious diseases among domestic animals, and the same right of entry, inspection and condemnation of diseased animals upon private premises is granted to the United States board or commission as is granted to the commission granted under this act.

Required to co-operate with boards acting under act of congress.

Authority of U. S. board.

(21) § 5647. SEC. 21. The commission shall make biennially a detailed report of its doings to the governor, which report shall be transmitted to the legislature at its regular biennial session.

To report to the governor, etc.

(22) § 5648. SEC. 22. This act shall be construed so as to include sheep and horses.

Sheep and horses included.

(23) § 5649. SEC. 23. Any railroad company, navigation company, or other corporation, or common carrier, who shall knowingly, or wilfully violate, disregard, or evade any of the provisions of this act, or who shall wilfully violate, disregard, or evade any of the rules, regulations, orders, or directions of the live stock sanitary commission establishing or governing quarantine, or who shall evade, or attempt to evade any quarantine proclamation of the governor of this state declaring quarantine limits, shall forfeit and pay to the people of the state of Michigan not less than five hundred dollars nor more than five thousand dollars, for each and every offense, and shall be liable for all damages caused to any neat cattle by its or his failure to comply with the requirements of this act.

Relative to violation of act by railroad companies, etc.

(24) SEC. 24. In case of tuberculous cattle, whenever the commission shall direct the killing of such cattle, it shall be the duty of the commission to appraise the animal or animals condemned, the owner or owners thereof to receive fifty per cent of value of animals as though not diseased, but such sum in no case shall exceed the sum of fifty dollars: Provided, That the owner or owners of slaughtered animals shall receive no compensation for the same unless the commission

Appraisal of diseased cattle.

Proviso.

Slaughter of
diseased
cattle.

Proceeds to
owner.

Proviso.

shall be satisfied that the premises have been kept in a sanitary condition, nor shall they receive compensation until said sanitary commission is satisfied that the infected premises have been disinfected in such manner as to prevent the further spread of the disease. When the state live stock sanitary commission, or a member thereof, shall deem it expedient to have cattle that have reacted to the tuberculin test slaughtered under federal inspection, or under the inspection of a competent veterinarian authorized by the state live stock sanitary commission, it shall have the power to order such slaughter. If the carcass of any such animal shall pass the inspection without being condemned, the owner of the animal shall receive all proceeds secured from the sale of such carcass after payment for shipping, handling and slaughtering charges have been deducted, in addition to the above mentioned fifty per cent appraisal value. If the carcass of any such animal shall be condemned by the inspectors, the owner of the animal shall receive the proceeds of the sale of the hide, tallow, offal or any other proceeds from the sale of the carcass, after deducting the cost of handling, shipping and slaughtering, in addition to the above mentioned fifty per cent appraisal valuation: Provided, That any animal, upon being slaughtered, and showing no tuberculin lesions, the owner thereof shall be paid full value for such animal, but such sum in no case shall exceed the sum of seventy-five dollars. The state live stock sanitary commission shall have power to designate the places where suspected animals shall be slaughtered, and also to employ a competent inspector to examine the carcasses of slaughtered animals.

Added 1909, Act 172; Am. 1913, Act 199.

Certificate to
accompany
imported
cattle.

What to show.

Certificate of
inspection, to
be prepared
in triplicate.

Expense.

(25) SEC. 25. The importation of cattle into the state for breeding or dairy purposes is hereby prohibited, excepting when such cattle are accompanied by a certificate of inspection made by a duly qualified veterinary surgeon, who is a graduate of a recognized veterinary college in the United States, Canada or Europe. Such certificate shall show that at the time of said inspection and within sixty days prior to shipment said cattle had been subjected to tuberculin test and were free from tuberculosis. Duly certified certificates of inspection, giving in full the temperature records of the tuberculin test, must be prepared in triplicate, one of which is furnished the shipper, one furnished the transportation company hauling the cattle, and one forwarded immediately to the president of the state live stock sanitary commission. The expense of such inspection and certificate shall be paid by the owner of the cattle.

Added Id.

(26) SEC. 26. The provisions of this act shall not apply to persons transferring cattle through the state on cars to points beyond the state, or to persons living near the state line and owning land in adjoining states, and who may drive said cattle to and from said land for pasturage.

Provisions,
how applied.

Added Id.

(27) SEC. 27. It shall be required of all individuals or firms who sell mallein or tuberculin to any resident of the state of Michigan to report such sale immediately to the state veterinarian, including the date of sale, name and address of parties to whom sold, and the amount of such sale.

Selling of
mallein, etc.

Added 1913, Act 199.

(28) SEC. 28. In case of an outbreak of hog cholera in any county in this state, the state live stock sanitary commission shall be immediately notified of the same by the county agent hereinafter provided for. It shall be the duty of the board of supervisors of each county to appoint some competent person to be known as the "live stock sanitary agent" for such county: Provided, Such appointment shall be upon the nomination of the state live stock sanitary commission, and to this end the commission shall submit to such board a list of at least three names from which list said appointment shall be made. Said county agent shall hold office until the appointment of his successor and shall be vested with all necessary power to carry out the provisions of this act, under the direction of the state live stock sanitary commission. Such county agent shall receive such compensation as the board of supervisors may determine, which compensation shall in no case be less than three dollars nor more than five dollars per diem for time actually spent in the performance of his official duties, together with all actual and necessary expenses incurred in connection therewith, such compensation and expenses to be paid from the contingent fund of such county upon approval thereof by the board of supervisors or board of county auditors: Provided, That in counties having a county agricultural agent or farm commissioner as provided by act number sixty-seven of the public acts of nineteen hundred thirteen, or any similar act heretofore or hereafter passed by the legislature, such agent or commissioner shall assume the duties of the live stock sanitary agent as enumerated in this act and no such appointment shall be made by the board of supervisors. The live stock sanitary agent herein provided for shall each year make a report in duplicate, one copy of which shall be filed with the board of supervisors and one copy with the state live stock sanitary commission, giving in detail all matters connected with his work as such agent for the preceding

Outbreak of
hog cholera.

Appointment
of live stock
sanitary agent.

Proviso,
nomination
for appointment.

Term of
office.

Powers.

Compensation.

Expenses.

Proviso, who
may act as
agent.

Annual report
of agent.

When per diem provisions not to apply.

year. In counties in which the agricultural agent or farm commissioner shall assume the duties of the county live stock sanitary agent, the provisions of this section relative to the per diem compensation of such agent shall not apply.

Added Id.; Am. 1915, Act 19.

Use of certain serum prohibited.

(29) SEC. 29. From and after the taking effect of this act it shall not be lawful to use any hog cholera serum in this state, except that made by the state experiment station, agricultural college, or some serum manufacturing plant licensed by the United States bureau of animal industry. Such serum may be used or administered by any competent person, and the use of hog cholera virus is prohibited in this state, except when used under the direction of the state veterinarian or a regular qualified veterinarian authorized by the state live stock sanitary commission or state veterinarian. All expense connected with the purchase of such serum or virus shall be borne by the owner or owners of such infected hogs.

How serum may be used.

Expense, how borne.

Added 1915, Act 19.

When herds to be slaughtered.

(30) SEC. 30. In case of an outbreak of hog cholera in any county in this state, and it is deemed best by the state live stock sanitary commission, or the county agent, to remove any infected or exposed herd or herds from any portion of such county, such herd or herds may be loaded in a tight bottom rack and conveyed to the nearest railroad station and shipped to some abattoir where federal, state or municipal inspection is maintained, there to be slaughtered and disposed of, either as a food product or for other purposes as determined by the inspecting authorities, and all sums realized from such disposal of infected or exposed hogs, less the expense of killing, disposal and such inspection, shall revert to the owner or owners of such herd or herds: Provided, That all freight charges upon the shipment of such infected or exposed hogs to such abattoirs shall be borne by the state and allowed by the board of state auditors as other claims are allowed and paid: Provided further, That such infected or exposed herd or herds shall not be allowed, during conveyance or shipment, to mingle with other hogs or cattle, nor be permitted to enter any loading yards maintained for the shipment of live stock at the place of embarkation and destination: Provided further, That in cases of the shipment of infected or exposed hogs under the provisions of this act, section four of act number seventy of the public acts of eighteen hundred seventy-seven shall not apply.

Disposal of sums realized.

Proviso, freight charges.

Further proviso, care of infected herds.

Further proviso, law not to apply.

Added Id.

(31) SEC. 31. In case it shall not be deemed expedient by the state live stock sanitary commission, or the county agent, to permit the shipment of such infected or exposed hogs, as provided in the foregoing section, then all such hogs shall be subject to the provisions of this act relative to the powers and duties of the state live stock sanitary commission in connection with other contagious or infectious diseases of live stock.

Added Id.

(32) SEC. 32. It shall be the duty of the owner or owners of any premises from which such infected or exposed hogs may have been shipped or otherwise disposed of, to thoroughly clean all yards, pens or other enclosures in which such hogs may have been kept, and to place the same in proper condition for disinfection by the state live stock sanitary commission, or the county agent, as hereinafter provided. Immediately upon notification by the owner or owners of such premises that said premises have been cleaned and put in such condition, it shall be the duty of the state live stock sanitary commission, or the county agent, to proceed to such premises and thoroughly disinfect the same, using therefor such equipment as the commission or the agent shall deem best. All expense of such disinfection shall be borne by the state and payable as are other expenses of the state live stock sanitary commission.

Added Id.

(33) SEC. 29. It shall be unlawful to import horses into this state for any purpose except when such horses shall have been subjected to the mallein test by or under the direction of a graduate of some recognized veterinary college. A certificate shall accompany such horses and shall show the time and manner of making such test, the results thereof and the manner in which said test was conducted. It shall further state that at the time of the inspection, which shall not be more than sixty days prior to the importation, such horses were free from any contagious or infectious disease. Certified copies of such certificate shall be prepared in triplicate, one for the use of the shipper, one for the transportation company and the third shall be forwarded immediately to the president of the state live stock sanitary commission. The expense of procuring the inspection, testing and certificate aforesaid shall be paid by the person seeking to import such horses into this state: Provided, That the provisions of this section shall not apply to the shipment of horses on cars through the state to points beyond where there is a continuous passage; nor to persons living in this state and owning land in an adjoining state who may take

When hogs
subject to live
stock sanitary
commission.

Premises to be
cleaned.

Live stock
sanitary com-
mission to
disinfect
premises.

Expense.

Importation
of horses
forbidden.

Certificate of
test.

Copies of cer-
tificate.

Expense.

Proviso, act
not to apply.

their horses across the state line for pasturage or in connection with the working of such land.

Added 1915, Act 66.

Act No. 19, P. A. 1915, approved March 17, and given immediate effect, added sections 29, 30, 31 and 32 to this act; Act No. 66, P. A. 1915, approved April 21, and given immediate effect, added the above section, which doubtless should have been numbered 33.

YARDING AND FEEDING TEXAS CATTLE.

An Act to regulate and provide for the carrying, yarding and feeding of so called Texas cattle while in transit into or across this state between the first day of April and the first day of November of each year.

[Act 198, P. A. 1885.]

The People of the State of Michigan enact:

Transportation, yarding, etc., of certain cattle, unlawful.

(34) § 5650. SECTION 1. That it shall not be lawful to transport any neat cattle into or across this state, yard or feed the same, that have been reared or kept south of the thirty-sixth parallel of north latitude, and that have not subsequently been kept continuously at least one winter north of said parallel, and which may be brought within the limits of this state between the first day of April and the first day of November, following, except in the manner hereafter provided.

Duty of railroad transporting certain cattle.

(35) § 5651. SEC. 2. It shall be the duty of all railroad companies doing business in this state to receive and transport while in this state, the class of cattle mentioned in section one, only in cars that are branded or lettered legibly and distinctly and in plain view, the words "for the transportation of Texas cattle only;" and they shall not permit or allow any other class of cattle to enter those cars between the first day of April and the first day of November following: Provided, That cattle coming from other states for transportation through this state when it is impossible to ascertain where they came from may be shipped in such cars, but shall be treated in all respects as coming from the country south of the thirty-sixth parallel of north latitude.

Proviso.

Care of certain cattle at stock yards.

(36) § 5652. SEC. 3. It shall be the duty of any railroad company, stock yard company, or private individual owning and operating any stock yard in this state, to receive and feed the class of cattle mentioned in section one only in yards separate and apart from yards used for the feeding or yarding of other cattle; and these yards shall be in the immediate vicinity and contiguous to a railroad side track so that these cattle may not pass over any open

Location of such yards.

common that might be crossed by other cattle; and said yards shall have a sign posted at each entrance thereto, on which shall be plainly lettered "for the yarding of Texas cattle only," and no other cattle shall be admitted to these yards between the first day of April and the first day of November of each year.

(37) § 5653. SEC. 4. Any railroad company, stock yard company, or private individual owning any stock yard in this state, who shall violate any of the provisions of sections one and two of this act, shall forfeit and pay to the people of the state of Michigan not less than fifty dollars nor more than five hundred dollars for each and every such offense, and shall be liable for any and all damages caused to any neat cattle by their failure to comply with the requirements of this act.

Entrance sign.
Penalty for violation.

Fine.
Liability for damages.

(38) § 5654. SEC. 5. Any person or person [persons] who shall knowingly or wilfully place or attempt to place any neat cattle, or others than those mentioned in section one, in any car or yard provided for in section two or three of this act, and branded and lettered as therein provided for between the first day of April and the first day of November following, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than ten dollars, nor more than one hundred dollars or be imprisoned not less than ten days nor more than sixty days, or both such fine and imprisonment in the discretion of the court.

Certain violation a misdemeanor.

Punishment.

FOOT-ROT AMONG SHEEP.

An Act to prevent the infection of foot-rot among sheep.

[Act 166, P. A. 1879.]

The People of the State of Michigan enact:

(39) § 5655. SECTION 1. That it shall be unlawful for any person or persons to allow to run at large on, or to drive along any highway in this state between the first day of May and the first day of November of each year, any sheep known to be infected with the disease known as the foot-rot.

Unlawful to allow or drive infected sheep on highway.

(40) § 5656. SEC. 2. Any person or persons violating the provisions of the foregoing section, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall pay a fine not less than twenty-five nor more than one hundred dollars, in the discretion of the court, in addition to the costs of prosecution; and in case the fine imposed, and the costs of prosecution shall not be paid, the defendant shall be confined in the county jail not less than thirty days nor more than sixty days, in the discretion of the court.

Penalty.

DISEASED SHEEP.

An Act to prevent the importation, running at large and sale of diseased sheep.

[Act 185, Laws of 1863.]

The People of the State of Michigan enact:

Penalty for importing, etc., diseased sheep.

(41) § 5657. SECTION 1. That it shall not be lawful for the owner of sheep, or any person having the same in charge, knowingly to import or drive into this state sheep having any contagious disease; and any person so offending shall be deemed guilty of a misdemeanor, and shall be punished by fine in any sum not less than fifty dollars, and in default of the payment thereof, by imprisonment in the county jail not more than three months.

Penalty for allowing diseased sheep to run at large.

(42) § 5658. SEC. 2. That any person being the owner of sheep, or having the same in charge, who shall turn out, or suffer any sheep having any contagious disease, knowing the same to be so diseased to run at large upon any common, highway, or uninclosed lands, or who shall sell or dispose of any sheep, knowing the same to be so diseased, without first apprising the purchaser thereof of such disease, shall be deemed guilty of a misdemeanor, and shall be punished by fine in any sum not less than fifty dollars nor more than one hundred dollars, and in default of the payment thereof, by imprisonment in the county jail not more than three months.

Damages in civil action.

(43) § 5659. SEC. 3. Nothing in this act shall be so construed as to prevent the recovery of damages, in civil actions, against any person or persons who shall import or drive such diseased sheep into this state, or who shall allow such diseased sheep to run at large, or who shall sell such diseased sheep.

FEEDING OF UNWHOLESOME FLESH TO ANIMALS OR FOWLS.

An Act to regulate, prevent and punish the feeding of the flesh of old, decrepit, infirm, sick or diseased animals and unwholesome offal to animals or fowls, and provide a penalty for the violation thereof.

[Act 179, P. A. 1913.]

The People of the State of Michigan enact:

Offal, etc., unlawful to feed to animals, etc.

(44) SECTION 1. No person shall feed to animals or fowls the flesh of an animal which has become old, decrepit, infirm or sick, or which has died from such cause, or offal or flesh that is putrid or unwholesome.

(45) SEC. 2. Whoever shall do any of the acts or things prohibited by this act, or in any way violates any of its provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not more than one hundred dollars and the costs of prosecution, or by imprisonment in the county jail not more than ninety days, or by both such fine and imprisonment in the discretion of the court. Misdemeanor,
penalty.

PASTEURIZING BY-PRODUCTS OF CHEESE FACTORIES, ETC.

An Act to provide for pasteurizing the by-products of cheese factories, creameries, skimming stations and other places where milk is received and distributed.

[Act 93, P. A. 1915.]

The People of the State of Michigan enact:

(46) SECTION 1. Every owner, operator or manager of a cheese factory, creamery, skimming station or other place where milk is received and the by-products distributed, shall, before returning to or delivering to any person or persons any skim milk, whey, buttermilk, or other milk by-products to be used for feeding purposes for farm animals, cause such skim milk, whey, buttermilk, or other milk by-products to be thoroughly pasteurized by heating the same to one hundred forty-five degrees Fahrenheit and holding at that temperature for not less than thirty minutes or to one hundred eighty-five degrees without holding: Provided, That the provisions of this act shall not apply to cheese factories or creameries that pasteurize the milk or cream prior to manufacture. By-products
to be past-
eurized.

(47) SEC. 2. Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than one hundred dollars, or imprisonment in the county jail for not exceeding ninety days, or both, in the discretion of the court. Penalty.

HORSES AND MULES PERMANENTLY UNFIT FOR WORK.

An Act relative to the use, sale, trading and disposition of horses and mules permanently unfit for work, and to provide a penalty for the violation thereof. (a)

[Act 354, P. A. 1913.]

The People of the State of Michigan enact:

(48) SECTION 1. It shall be unlawful for any person to offer for sale or sell or trade any horse or mule which by reason of debility, disease, lameness, injury, or for any other Unlawful sale
or trade.

cause is permanently unfit for work, except to a person or corporation operating a horse hospital, animal retreat farm, or other institution or place designed or maintained for the humane keeping, treatment or killing of horses, mules or other live stock.

Am. 1915, Act 129.

When unlawful to drive, etc.

(49) SEC. 2. It shall be unlawful for any person to lead, drive or ride any such animal on any public way for any purpose, except that of conveying any such animal to a proper place for its humane keeping, or killing or for medical or surgical treatment, any horse or mule which, by reason of debility, disease, lameness or injury, or for other cause is permanently unfit for work.

Penalty.

(50) SEC. 3. Any person violating any provision of this act shall be deemed guilty of a misdemeanor, and on being convicted thereof before any justice of the peace or police justice shall be fined in a sum not less than ten dollars nor more than one hundred dollars or imprisoned for not more than three months in the county jail or Detroit house of correction.

BRANDING LIVE STOCK.

An Act to provide for marking and branding live stock.

[Act 122, P. A. 1883.]

The People of the State of Michigan enact:

Owners may adopt brand, etc.

To be recorded.

Proviso.

Duties of county clerks in recording.

Fee for.

Penalty for changing, etc., brand.

(51) § 5660. SECTION 1. That every person who has cattle, horses, hogs, sheep, goats, or any other domestic animals, may adopt an ear mark or brand, which ear mark or brand may be recorded in the office of the county clerk of the county where such cattle, horses, hogs, sheep, goats, or other domestic animals shall be: Provided, That the mark or brand so adopted and recorded shall be different from all other marks or brands, adopted and recorded in such county.

(52) § 5661. SEC. 2. It shall be the duty of the county clerks of the several counties of this state, to keep a book in which they shall record the mark or brand adopted by each person who may apply to them for that purpose, for which they shall be entitled to demand and receive twenty-five cents.

(53) § 5662. SEC. 3. If any person shall mark or brand, or alter or deface the mark or brand of any horse, mare, colt, jack, jenny, jennet, mule, or any one or more head of neat cattle or sheep, goat, hog, shoat, pig, or other domestic ani-

mal, the property of another, with intent thereby to steal the same, or to prevent identification thereof by the true owner, he shall be deemed guilty of felony, and shall be punished by imprisonment at hard labor in the state prison, not to exceed two years, or by a fine of not more than two hundred dollars, or both, in the discretion of the court.

PRACTICE OF VETERINARY MEDICINE AND SURGERY.

An Act to protect the title and to regulate the practice of veterinary medicine, dentistry and surgery, and the various branches thereof in this state; to provide for a state veterinary board and to fix its duties; to make provisions for those now engaged in practicing veterinary medicine, dentistry and surgery; to permit undergraduates to practice under certain conditions; to provide for reciprocity with other states and provinces; to prescribe penalties for the violation thereof; and to repeal all inconsistent acts. (a)

[Act 244, P. A. 1907.]

The People of the State of Michigan enact:

(54) SECTION 1. It shall be unlawful for any person to engage or attempt to engage in the practice of veterinary medicine, dentistry or surgery, in any of its various branches, unless he shall comply with the provisions of this act and be duly registered by the state veterinary board in the manner hereinafter provided: Provided, That the provisions of this act shall not be governing or apply to dehorning of cattle and ordinary animal castration, except castration of horses.

Veterinarians
to be regis-
tered.

Proviso, act
not to apply.

Am. 1909, Act 143; 1915, Act 45.

(55) SEC. 2. The members of the state veterinary board appointed pursuant to act two hundred forty-four of the public acts of nineteen hundred seven shall constitute the state veterinary board. Said board shall hereafter consist of three members who are required to be residents of Michigan and citizens of the United States, and must also be regularly registered graduates of some college giving instruction in veterinary medicine, dentistry and surgery. No member of said board shall be connected with the faculty of any such college. On or before the first day of April of each year, it shall be the duty of the governor to appoint a member of said board to succeed that member whose term then expires in accordance with his original appointment, and any vacancies that may occur shall be filled by appointment of the governor for the balance of the unexpired term. In no case shall any person be appointed as a member of said board

State veteri-
nary board.

Qualifications.

Appointment.

Experience.

(a) Title Am. 1915, Act 45.

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| Term of office. | <p>who has not at least three years experience in the practice of his profession. Each member regularly appointed shall hold office for three years and until his successor is appointed and qualified: Provided, That none of the provisions of this act shall in any manner interfere with the present tenure of office of the members of said board heretofore appointed.</p> <p>Am. 1915, Act 45.</p> |
| Proviso, present tenure. | |
| Annual meeting. | |
| Other meetings. | |
| Bond of treasurer. | |
| Annual report. | <p>(56) SEC. 3. Said veterinary board shall hold an annual meeting at Lansing on the first Tuesday after the first Monday in February of each year, at which time said board shall organize by electing a president, a secretary and a treasurer. Other meetings shall be held quarterly at such times and places as the board shall fix by resolution. The treasurer so chosen shall give bond to the people of the state of Michigan conditioned for the faithful performance of the duties of his office, in such amount and with sureties to be approved by the board. At the end of each fiscal year, said board shall make a report to the governor, which report shall contain a full and complete statement of the official acts of the board with an itemized account of all moneys received and paid out. It shall be the duty of the members of said board during each year to assist its secretary in compiling a list of such colleges as have a curriculum of not less than three years of six months each which have the authority to confer the degree of doctor of veterinary medicine, doctor of veterinary science, doctor of comparative medicine, or veterinary surgeon. It shall be the duty of the secretary of said board to issue to any graduate of one of such colleges who may apply therefor a temporary permit to allow such applicant to practice until the next regular meeting of the board. Such temporary permit shall stand in lieu of a regular license during the time that it is in force and shall allow the holder thereof to exercise such privileges as a regularly registered and licensed practitioner of veterinary medicine, surgery and dentistry may exercise. Such permit shall expire on the day of the next regular meeting of the board. It shall be the duty of the secretary to keep on file in his office a list of all persons, with their respective addresses, to whom temporary permits may be issued.</p> |
| List of colleges. | |
| Temporary permit. | |
| Effect of permit. | |
| Expiration. | |
| List of permits. | <p>Am. 1d.</p> |
| Unlawful use of degree or title. | |

(57) SEC. 4. It shall be unlawful for any person who is not a graduate of any college giving instruction in veterinary medicine, surgery and dentistry with a curriculum of not less than three years of six months each to use any college degree, or professional title or abbreviation in connection with his name which might be calculated to cause the public to believe that such person is a graduate as aforesaid and licensed under the terms of this act.

Am. 1d.

(58) SEC. 5. From and after the passage of this act it shall be unlawful for any person to practice veterinary medicine, surgery or dentistry or any of the various branches thereof unless such person shall be duly registered and licensed by the state veterinary board as herein provided. No person shall be registered by said board unless and until he shall take and pass in a satisfactory manner such examination as may be required by the state veterinary board and shall furnish satisfactory proof of his identity. No person shall be eligible to take the examination herein provided for unless he has completed a course of study in a regular veterinary college having a curriculum of not less than three years of six months each and which shall require the personal attendance of its pupils, and shall have received a diploma from said college. The examination shall be upon such subjects as may be prescribed by the state veterinary board and an average percentage of not less than seventy-five per cent with a standing of not less than fifty per cent in any subject shall be required. The examination shall be granted to applicants entitled to take the same at the time of the annual meeting of the board on the first Tuesday after the first Monday in February. Said board may make all necessary and reasonable rules for the conduct of the examination: Provided, That the provisions of this section shall not be deemed to apply to those persons who are duly licensed under the laws of this state to practice veterinary medicine or surgery, and the various branches thereof at the time this amendment becomes operative, it being the intention hereof to allow such licensees to continue in the practice of their profession. A fee of ten dollars shall be paid by each applicant for examination and registration, and any such applicant who fails to pass the examination may be permitted to take the next following examination without the payment of an additional fee upon furnishing satisfactory evidence to the board that he has taken work to prepare himself for such re-examination and for the practice of the profession.

Unlawful practice.

Conditions of registration.

Examination.

When held.

Proviso, present licenses.

Examination fee.

Re-examination.

Am. Id.

The requirements of this act, that an applicant for registration as a veterinarian shall be a graduate of a state institution having a curriculum of at least six months each, are not met by an applicant who obtained a diploma in a state institution which had adopted such a curriculum, the applicant having taken a two years' course with equivalent studies.—Folsom v. State Veterinary Board, 158/277

(59) SEC. 6. It shall be unlawful for any person in this state to perform the following named surgical operations upon animals without first administering either local or general anaesthesia: The emasculation of hermaphrodites, the emasculation of mares and female dogs, the operation of fistulous wethers and poll-evil, lithotomy and all forms of neurectomy, the Caesarean operation, the operation for um-

When unlawful to perform certain operations.

bilical and scrotal hernia and the operation for wind-broken horses called laryngio crycorectomy.

Am. 1909, Act 143.

Secretary to
keep books.

(60) SEC. 7. It shall be the duty of the secretary of the state veterinary board to keep a proper book or books in which shall be entered the names and addresses of all persons in this state who shall be registered and licensed to practice veterinary medicine, surgery, or dentistry in any of its branches. All fees received by said secretary shall be immediately turned over by him to the treasurer who shall pay the same into the general fund in the state treasury. A suitable certificate of registration shall be furnished by the state veterinary board to each person entitled thereto, which said certificate shall be conspicuously displayed in the office of the applicant and shall be evidence that such person is entitled to practice veterinary medicine, surgery and dentistry in all of the various branches thereof.

Am. 1915, Act 45.

Compensation
of board.

(61) SEC. 8. The members of the state veterinary board shall not be entitled to receive any salary, fee, or compensation for their services as such members, except that the secretary shall receive such compensation as the board shall determine, not to exceed fifty dollars per annum. The expenses of such members actually and necessarily incurred in the performance of official duties shall be paid by the state treasurer upon the warrant of the auditor general out of any money in the general fund not otherwise appropriated.

Expenses of
board, how
paid.

Students,
when certain
may practice.

(62) SEC. 9. Any student having attended a recognized veterinary college for six months may, upon the presentation of a certificate of attendance, bearing the college seal, be allowed to practice in the office of and under the instructions of any registered veterinary surgeon in this state to whom he may apply during one summer vacation, or until October following the date of his certificate of attendance and no longer, nor elsewhere as an under graduate.

Michigan to
reciprocate
with other
states.

(63) SEC. 10. Michigan shall reciprocate with other states and provinces in an interstate recognition and exchange of licenses upon a basis of equality of educational standard and mutual recognition, which standard shall not be lower than required by the provisions of this act.

Veterinarians
living in ad-
joining states.

(64) SEC. 11. Veterinarians living near the border line of Michigan, in an adjoining state or province, and wishing to practice in this state, shall, before doing so, apply to and receive from the state veterinary board a certificate of registration. The state veterinary board shall grant such license and issue a certificate upon the payment of the prescribed fees, provided the applicant's educational attainment

License
granted on
certain
conditions.

shall conform to the requirements of the provisions of this act, and the said state or province shall grant a like reciprocity to veterinarians of this state.

(65) SEC. 12. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished for the first offense by a fine of not less than ten nor more than fifty dollars, and for each subsequent offense shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or be confined in the county jail for not less than thirty nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

Penalty for violations.

(66) SEC. 13. Complaints for a violation of this act shall be made to the prosecuting attorney or humane agent of the county in which the offense is committed and the method of procedure shall be the same as in other criminal cases.

Complaints of violations, how made.

Sec. 14 repeals inconsistent or contravening acts.

(67) SEC. 15. Any license heretofore or hereafter granted under the provisions of this act may be revoked by the state veterinary board after proper notice and hearing, if the holder thereof shall violate any of the provisions of this act. Reasonable notice of the time and place of such hearing shall be served on the person whose license it is proposed to revoke and proper opportunity shall be given to him to be heard in his defense: Provided, That the license of any person who has been convicted before a court of competent jurisdiction of any violation of this act may be revoked by said board without notice or hearing upon filing with said board a certified copy of the record of such conviction. Any license procured by fraud or by false and untrue statements or affidavits may be likewise revoked. Any person procuring registration by fraudulent means shall be deemed to be guilty of a misdemeanor and upon conviction thereof may be punished by a fine of not more than five hundred dollars or by imprisonment in the county jail for not more than one year, or both such fine and imprisonment in the discretion of the court. Any person making a false affidavit shall be deemed guilty of perjury and liable to be prosecuted and punished accordingly: Provided further, That the license of any person claiming the right to practice veterinary medicine, surgery or dentistry may be revoked by said board upon satisfactory proof that such person is incompetent by reason of his habits, or otherwise, to practice the profession. Any such licensee who practices a fraud upon the public or upon any person by claiming to be able to cure incurable diseases of animals shall be deemed to be incompetent to practice the profession within the meaning of this section.

Revocation of license.

Notice of hearing.

Proviso, conviction by court.

Fraudulent license.

Penalty.

False affidavit.

Further proviso, incompetency.

Fraud deemed incompetency.

REGISTRATION OF STALLIONS.

An Act to encourage the breeding of horses; to regulate the public service of stallions; to require the registration of stallions, and to provide for the enforcement thereof.

[Act 256, P. A. 1911.]

The People of the State of Michigan enact:

Stallion to be enrolled.

(68) SECTION 1. Every person, firm, association or company using or offering for use for public service any stallion in this state shall cause the name, description and pedigree of such stallion to be enrolled by the state veterinary board and shall procure a certificate of such enrollment from said board. The word "stallion" wherever used in this act shall be construed to include "jack." The word mare whenever used in this act shall be construed to include "jenny."

Am. 1915, Act 44.

License, how obtained.

(69) SEC. 2. In order to obtain the license certificate hereinafter provided for, the owner of such stallions shall forward the stud book, certificate of registration, and any other documents that may be necessary to define and describe said stallion, his breeding and ownership, to the state veterinary board. The officers of said board, whose duties it shall be to examine and pass upon the merits of such pedigree submitted, shall use as their standard of action the stud books and signatures of the duly authorized officers of the various pedigree registration associations, societies or companies recognized by the state veterinary board. Upon verification of pedigree or certificate of breeding, a license certificate shall be issued to the owner by the state veterinary board, copies of which certificates said owner shall post and keep affixed during the entire breeding season in a conspicuous place both within and upon the outside of every building where such stallion is kept for public service.

Am. Id.

Bills or posters, contents.

(70) SEC. 3. Every bill or poster issued by the owner of any stallion licensed under the provisions of this act, or used by him or his agent for the purpose of advertising such stallion, shall contain a copy of the certificate of enrollment of such stallion, and said bills or posters shall not contain illustrations, reference to pedigree or other statements that are untruthful or misleading. Reference to such stallions in newspapers, stock papers and other advertising medium shall contain the name of such stallion, number of certificate of enrollment, and shall designate in letters not smaller than pica the true breeding of such stallion as given in said certificate of enrollment.

Advertisements.

Am. Id.

(71) SEC. 4. The state veterinary board shall issue enrollment certificates which shall state the true breeding of such stallion licensed under this act. Such enrollment certificate shall be in a form designated by the board and said form shall be such as to show the true breeding of the stallions enrolled. Any stallion, the sire or dam of which is pure bred and recorded in a stud book recognized by the state veterinary board, shall be designated as a "grade". Any stallion of which neither the sire nor dam is of pure breeding, nor recorded in a stud book recognized by the state veterinary board shall be designated as a mongrel or "scrub." After January first, nineteen hundred seventeen, no certificate of such enrollment shall be issued by the state veterinary board for any stallion designated as a "grade" or mongrel or "scrub," excepting for the enrollment of such stallion as shall have been enrolled prior to that date.

Am. Id.

(72) SEC. 5. A fee of three dollars shall be paid at the time of the first application for a certificate of enrollment to the secretary of the state veterinary board, for the examination and enrollment of such pedigree, and the issuance of a certificate of enrollment of the breeding of such stallion as above provided. Enrollment certificates shall expire January first of each year, and renewal of same must be made prior to March fifteenth, following such expiration. It shall be a violation of this act to offer or use any stallion for public service, unless licensed by said board: Provided, That this act shall not apply to grade stallions standing at owner's premises and not advertised for service. A fee of one dollar shall be paid annually at the time of application for such renewal. Upon the transfer of ownership of any stallion enrolled under the provisions of this act, the certificate of enrollment must be transferred to the transferee by the state veterinary board upon submittal of satisfactory proof of such transfer, and upon the payment of the fee of one dollar. In case of death of any stallion enrolled under this act, owner of same shall immediately inform the secretary of the state veterinary board. All fees received by the state veterinary board under the provisions of this act shall be paid into the state treasury to be credited to the general fund.

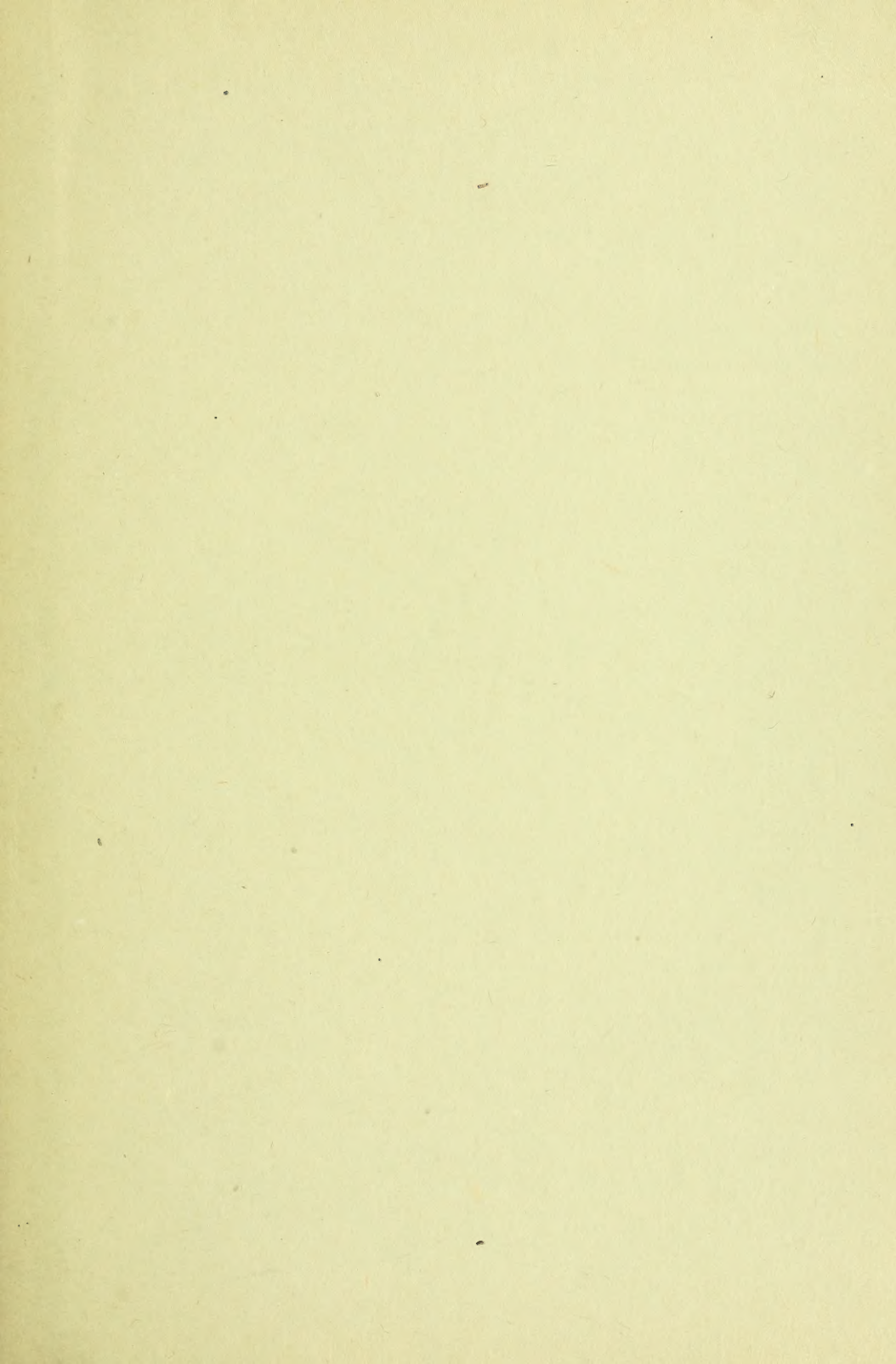
Am. Id.

(73) SEC. 6. In addition to the powers of the state veterinary board as prescribed by act number two hundred forty-four of the public acts of nineteen hundred seven, as amended by act number one hundred forty-three of the public acts of nineteen hundred nine, said board is hereby authorized to

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| Expense. | provide for official examination of pedigrees and certificates of breeding and ownership, to issue license certificates for stallions enrolled under this act, to compile and publish statistics relative to horse breeding in Michigan and other information of value to the horse breeders of this state, and to incur such other reasonable expenses as may be necessary to carry out and enforce the provisions of this act. All bills incurred and authorized by said board shall, when approved by a majority of its members, be allowed by the board of state auditors and paid out of the general fund of the state treasury. |
| Foreign stallions. | (74) SEC. 7. Every stallion brought into this state from another state or from a foreign country to be offered for sale or for public service shall, before any such sale or use is made, be examined by the state veterinary board or its regularly appointed representative, and certified by said board or its representative that said stallion is free from hereditary, contagious or transmissible unsoundness or disease and is of good conformation and breed type and suitable to improve the horse stock of the state. |
| Penalty. | (75) SEC. 8. Any person, firm, company or association violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and shall upon conviction thereof be punished by a fine of not less than twenty-five dollars nor more than three hundred dollars, or by imprisonment in the county jail not more than thirty days, or by both such fine and imprisonment in the discretion of the court. |
| Lien for service. | (76) SEC. 9. Having complied with the provisions of this act, the owner of any stallion shall have a lien for the sum stipulated to be paid for the service thereof, upon the mare served by any such stallion in breeding thereof, and upon the offspring of such stallion by filing at any time within eighteen months after the date of service, a statement of the account thereof, together with a description as to color, and white markings of the female served, and the name of the owner at the date of service, in the office of the township clerk wherein the owner of said female resided at the time of service. Such lien shall exist for a period of one year from the date of foaling of said colt, or if credit is given, from the expiration of the credit, and shall have priority over all other liens and encumbrances upon the offspring. |
| Statement of account, etc. | Neither the mare nor the foal shall be sold within eighteen months after the date of service, unless the service fee shall be paid, unless such sale shall be agreed to and approved in writing by the owner of the stallion at the time of the sale or transfer of the mare or foal. At any time after the offspring shall have been foaled, any person having such lien may enforce the same by the same proceedings and in the same manner as is provided by sections ten thousand seven |
| Term of lien. | |
| Sale of mare or foal. | |
| Enforcement of lien. | |

hundred forty-nine, ten thousand seven hundred fifty, ten thousand seven hundred fifty-one and ten thousand seven hundred fifty-two of the compiled laws of eighteen hundred ninety-seven.

Added 1915, Act 44.



PAT. JAN. 21, 1908

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